

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Criminal No. 20-170
)	ELECTRONICALLY FILED
v.)	
)	
RAEKWON DAC BLANKENSHIP,)	
)	
Defendant.)	

MEMORANDUM IN AID OF SENTENCING

AND NOW comes the defendant, Raekwon Dac Blankenship, by his attorney, Kelvin L. Morris, and respectfully submits this Memorandum in Aid of Sentencing.

I. INTRODUCTION:

On July 22, 2020, a one-count Indictment was issued charging Raekwon Dac Blankenship, a 24 year-old man from Pittsburgh, Pennsylvania, with one count of obstruction of law enforcement during civil disorder in violation of Title 18 U.S.C. § 2 and 231(a)(3). The instant offense occurred on or about May 30, 2020.

Mr. Blankenship is scheduled for a sentencing hearing before this Honorable Court on Tuesday December 7, 2021. As set forth below, Mr. Blankenship seeks a sentence of probation

II. SENTENCING CONSIDERATIONS:

STEP 1: Calculate the Guidelines range:

Offense Level

According to the Presentence Investigation Report, Mr. Blankenship has a total offense level of 8. Mr. Blankenship has no objection to the contents of this report.

Criminal History Computation:

According to the Presentence Investigation Report, Mr. Blankenship has a total criminal history score of 1, which establishes a criminal history category of I. Mr. Blankenship has no objection to the contents of this report.

Guidelines Range:

According to the Presentence Investigation Report, Mr. Blankenship has a guideline imprisonment range of 0-6 months. Mr. Blankenship has no objection to the contents of this report.

STEP 2: Motions for Departure:

Mr. Blankenship does not submit a motion for departure.

STEP 3: Consideration of the relevant sentencing factors
pursuant to 18 U.S.C. § 3553(a):

Mr. Blankenship seeks a sentence of probation based primarily on the nature and circumstances of the offense and the history and characteristics of the defendant, the need for the sentence imposed, and the need to avoid unwarranted sentencing disparities. In support thereof Mr. Blankenship provides:

1. THE NATURE AND CIRCUMSTANCES OF THE OFFENSE AND THE HISTORY AND CHARACTERISTICS OF THE DEFENDANT, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(1):

Nature and Circumstances of the Offense:

In this case Mr. Blankenship participated in a civil disorder of which obstructed law enforcement. Mr. Blankenship has accepted responsibility for his actions.

History and Characteristics of Raekwon Dac Blankenship:

Mr. Blankenship is 25 years old and was born in Pittsburgh, Pennsylvania. He was primarily raised by his Mother and he had occasional contact with his Father. Mr. Blankenship is the father of two small children, ages 3 and 5. Both children reside in Pittsburgh, Pennsylvania.

Mr. Blankenship never legally married.

Mr. Blankenship is not a high school graduate, however, he is taking General Equivalency Diploma (GED) classes at the Allegheny County Jail.

Mr. Blankenship has an employment history - he worked as a cook for

the following companies: Pittsburgh Spice & Seasoning, Bahama Breeze and Primanti Brothers.

While incarcerated, Mr. Blankenship made good use of his time. He enrolled in and successfully completed the following three (3) programs:

- i. HOPE Pre-Release Program. See Exhibit “A”.
- ii. Thinking for A Change, a program offered by Pittsburgh Mercy. See Exhibit “B”.
- iii. Self-Awareness Graduate Education (SAGE) Program. See Exhibit “C”.

Mr. Blankenship asks this Honorable Court to consider his history and characteristics and sentence him to a period of probation.

2. THE NEED FOR THE SENTENCE IMPOSED, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(2):

As a result of the instant offense, Mr. Blankenship was also charged in state court and sentenced to 18 to 36 months imprisonment.

In light of all the penalties already imposed as a result of Mr. Blankenship’s actions, a sentence of probation is sufficient, but not greater than necessary, thereby satisfying § 3553(a)(2).

3. THE KINDS OF SENTENCES AVAILABLE, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(3):

The maximum penalty for this offense is not more than 5 years' imprisonment, a \$250,000 fine, and a \$100 special assessment.

4. THE KINDS OF SENTENCE AND THE SENTENCING RANGE, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(4):

The Guidelines recommend a period of incarceration of 0-6 months.

5. ANY PERTINENT POLICY STATEMENT, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(5):

None.

6. THE NEED TO AVOID UNWARRANTED SENTENCING DISPARITIES, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(6):

The projected guidelines for this case is 0-6 months imprisonment.

7. THE NEED TO PROVIDE RESTITUTION TO ANY VICTIMS OF THE OFFENSE, IN ACCORDANCE WITH 18 U.S.C. §3553(a)(7):

None.

III. CONCLUSION:

WHEREFORE, for the above-mentioned reasons, Raekwon Dac Blankenship, respectfully requests this Court impose a sentence of probation.

Respectfully submitted,

s/ Kelvin L. Morris.
Kelvin L. Morris, Esquire
Pa. I.D. No. 321407
2885 Wildwood Road Extension
Allison Park, PA 15101
(412) 660-2021

Attorney for Defendant,
Raekwon Dac Blankenship